

Before the State of South Carolina
Department of Insurance

In the matter of:)

SCDI File Number 2002 – 111627

Richard A. Bellamy,)

Consent Order

702 Ridge Street)

Revoking Insurance

Conway, South Columbia 29526.)

Agent's License

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Richard A. Bellamy, a licensed State of South Carolina resident insurance agent.

Bellamy hereby admits, and I find as fact, that, while licensed by the Department to do business as a resident insurance agent within the State of South Carolina, and while operating debit account number 0645 for Monumental Life Insurance Company, Bellamy took premiums from paid-up policies and applied them to policies that were in the arrears. Bellamy contends that he was trained by supervisors to apply this method of payment to minimize the cancellation of policies. Bellamy further contends that at no time did he use the monies for his own personal use and that it was not his attempt to circumvent the insurance laws of this State. These actions are in violation of S.C. Code Ann. Sections 38-43-130 (Supp. 2001) and can ultimately lead to revocation of his license to transact the business of insurance as a resident insurance agent in South Carolina following a public hearing at the Administrative Law Judge Division.

Rather than proceeding toward a formal public hearing, the parties agreed to submit the entire matter to me, along with the specific recommendation, for my summary decision based solely on the record. That recommendation was that Bellamy would waive his right to a public hearing and would voluntarily surrender his license for revocation.


S.C. Code Ann. Section 38-43-130 provides, "The director or his designee may revoke or suspend an agent's license after ten days' notice or refuse to reissue a license when it appears that an agent has been convicted of a crime of moral turpitude, has violated this title or a regulation promulgated by the Department, or has wilfully deceived or dealt unjustly with the citizens of this State."

After a thorough review of the record, carefully considering the recommendation of the parties, and in accordance with my findings of fact, I now conclude, as a matter of law, that Bellamy has dealt unjustly with citizens of this State, thereby violating S.C. Code Section 38-43-130 (Supp. 2001) and that his resident insurance agent's license should be revoked.

RECEIVED
GENERAL COUNSEL

55 MAR 13 2002

STATE OF SOUTH CAROLINA
DEPARTMENT OF INSURANCE

 Richard A. Bellamy

By his signature upon this Consent Order Revoking Insurance Agent's License Bellamy acknowledges that he understands this administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. Sections 30-4-10, *et seq.* (1991 and Supp. 1998).

Nothing contained in this administrative disciplinary order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained in this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained in this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. Section 38-3-110 (4) (Supp. 2001), of the Director of Insurance, exercised either directly or through the Department to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is therefore, ordered that Richard A. Bellamy shall, immediately, upon my date and signature upon this Consent Order Revoking Insurance Agent's License, surrender to the State of South Carolina Department of Insurance his insurance agent's license, issued to him through the State of South Carolina Department of Insurance.

It is further ordered that a copy of this consent order shall be transmitted to the National Association of Insurance Commissioners for distribution to its member states and to each insurer for which Richard A. Bellamy is currently licensed to transact business as a resident insurance agent within the State of South Carolina.

This consent order becomes effective as of the date of my signature below.



Ernst N. Csiszar
Director

March
~~February~~ 20, 2002 at
Columbia, South Carolina

 Richard A. Bellamy

I Consent: *to Surrender my Agent's License*

Richard Bellamy

Richard A. Bellamy
702 Ridge Street
Conway, South Carolina 29526

Dated this *10* day of February 2002
March 2002